IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 13795 of 2003

For Approval and Signature:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR.JUSTICE J.N.BHATT

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

PRARNADHAM COOP.HOUSING SOCIETY

Versus

AHMEDABAD ELECTRICITY CO.LTD.

Appearance:

1. Special Civil Application No. 13795 of 2003

MR ANIL C THAKORE for Petitioner No. 1

MR KB PUJARA for Respondent No. 1

MR DN PATEL for Respondent No. 2

CORAM : HON'BLE THE CHIEF JUSTICE

HON'BLE MR.JUSTICE J.N.BHATT

Date of decision: 30/09/2003

ORAL JUDGEMENT

(Per : HON'BLE THE CHIEF JUSTICE)

1. Rule. Service of Rule is waived by learned counsel for the respondents.

2. The petitioner is Chairman of Prarnadham Co. Op.Housing Society, Nandanvan Tower-I, a `high rise building'. It has not been provided electricity connection, therefore, it is submitted that the respondents be directed to provide electricity connection to their premises. Before electricity connection is provided, occupants have to seek "No Objection Certificate" from the Ahmedabad Urban Development Authority (AUDA) / Ahmedabad Municipal Corporation (AMC), which has been granted in this case with respect to installation of fire safety measures. Therefore, the only thing left is providing electricity connection to their premises. For this purpose they have to apply to the Ahmedabad Electricity Company Limited (AEC). The matter is, therefore, disposed of with the following directions:-

(1) The petitioners/occupants will apply to AUDA/AMC for `Building Use Permission' within a week. AUDA/AMC will decide such applications within four months.

(2) The petitioners/occupants who have not applied to AEC for domestic electricity connection on proper application/form/format will do so within fifteen days seeking electricity connection to their premises and pay usual charges. Electricity connection shall be provided by AEC within three weeks. The petitioners will file undertaking with AEC to the effect that in the event of `Building Use Permission' not being granted by AUDA/AMC to them, electricity connection could be disconnected on information to this effect being supplied by AUDA/AMC to AEC.

4. It is made clear that those petitioners/occupants who have already applied on proper form and paid usual charges will not be called upon to apply and pay afresh. This petition is disposed in terms aforesaid. Rule is made absolute. Direct service is permitted.

(BHAWANI SINGH)
CHIEF JUSTICE

(J.N.BHATT)
JUDGE

(sunil)